



Handwritten: 3739

Docket: 2854 (203-3081 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Buchman, et al.

EXAMINER: N/Y/K

SERIAL No.: 10/521,901

GROUP: Art Unit 3739

FILED: October 5, 2005

DATED: August 22, 2007

TITLE: **ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The attached PTO/SB/08A Form identifies International Application Serial No. PCT/EP2003/012789 filed on November 15, 2003. Said application was published in German including an English-language Abstract. Applicant(s) submit that the content of said application

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Dated: August 22, 2007

Handwritten signature: Nicole Rispone
Nicole Rispone

may be readily ascertained from the drawings and the English-language Abstract thereof. Accordingly, Applicant(s) submit that no further translation of said application is required.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.

☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

☐ This information disclosure statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114.

☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

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☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).

☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

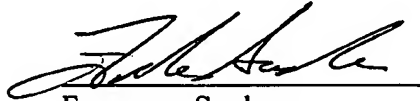
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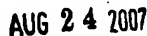
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Respectfully submitted,

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Francesco Sardone
Reg. No.: 47,918
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road - Suite 225
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526
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Substitute for form 1449A/PTO

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/521,901
Filing Date	October 5, 2005
First Named Inventor	Buchman, et al.
Art Unit	3739
Examiner Name	TBD
Attorney Docket Number	2854 (203-3081 PCT US)

[illegible]

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code ² Number ⁴ Kind Code ³ (if known)				
/LC/		EP 1656900	5-17-2006	Ethicon Endo Surgery Inc.		
↓		EP 1645234	4-12-2006	Sherwood Services AG		
↓		WO 2004/045436	6-3-2004	Storz Endoskop Produktions		X

Examiner Initials*	Cite No.1		T ²
/LC/		Copy of European Search Report from Application EP 07009028 dated July 16, 2007.	

Examiner

/Lee Cohen/

Date Considered _____

09/11/2007

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



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Docket: 2854 (203-3081 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Thomas J. Buchman, III EXAMINER: N/Y/K
SERIAL NO.: 10/521,901 GROUP: Art Unit 3739
FILED: October 5, 2005 DATED: June 6, 2007
TITLE: ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

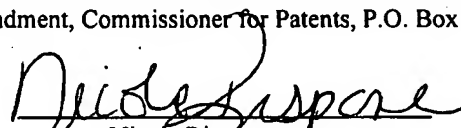
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Dated: June 6, 2007


Nicole Rispono

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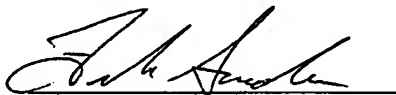
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Francesco Sardone

Reg. No.: 47,918

Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP

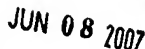
445 Broad Hollow Road - Suite 225

Melville, New York 11747

Tel.: (631) 501-5700

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Filing Date	October 5, 2005
First Named Inventor	Buchman, III, et al.
Art Unit	3739
Examiner Name	TBD
Attorney Docket Number	2854 (203-3081 PCT US)

Sheet	1	of	1
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[illegible][illegible]

Examiner	/Lee Cohen/	Date Considered	09/11/2007
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

ffw



Docket: 2854 (203-3081 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Thomas J. Buchman, III

EXAMINER: N/Y/K

SERIAL NO.: 10/521,901

GROUP: Art Unit 3739

FILED: October 5, 2005

DATED: December 15, 2006

TITLE: **ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

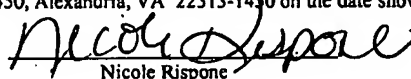
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Dated: December 15, 2006


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Francesco Sardone
Reg. No.: 47,918
Attorney for Applicant(s)

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445 Broad Hollow Road - Suite 225
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526
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PTO/SB/08a (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

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1

Complete if Known

Application Number	10/521,901
Filing Date	October 5, 2005
First Named Inventor	Thomas J. Buchman, III
Art Unit	3739
Examiner Name	N/Y/K
Attorney Docket Number	2854 (203-3081 PCT US)

U.S. PATENT DOCUMENTS *WITHOUT REFERENCES*[illegible]

FOREIGN PATENT DOCUMENTS *WITH REFERENCES*

[illegible]

OTHER DOCUMENTS

Examiner Initials*	Cite No.1		T ²
/LC/		Copy of International Search Report from EP 06 01 4431 dated October 31, 2006.	

Examiner

/Lee Cohen/

Date Considered

09/11/2007

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



IFW
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FILED: October 5, 2005 DATED: August 22, 2006
TITLE: ELECTROSURGICAL PENCIL WITH
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1Pw

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APPLICANT(S): Thomal L. Buchman, III EXAMINER: N/Y/K
SERIAL No.: 10/521,901 GROUP: N/Y/K
FILED: October 5, 2005 DATED: June 30, 2006
TITLE: ELECTROSURGICAL PENCIL WITH
DRAG SENSING CAPABILITY

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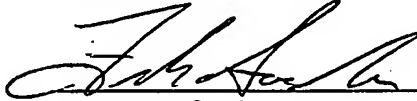
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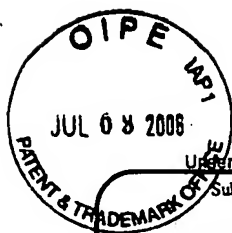
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 1

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Art Unit	3739
Examiner Name	NYYK
Attorney Docket Number	2854 (203-3081 PCT US)

U.S. PATENT DOCUMENTS WITHOUT REFERENCES

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/LC/		5,431,645	7/11/1995	SMITH et al.	
↓		6,955,674	10/18/2005	EICK et al.	
		2003/0032950 A1	2/13/2003	ALTSHULER et al.	
		2003/0212397 A1	11/13/2003	AVRAHAMI et al.	

FOREIGN PATENT DOCUMENTS WITH REFERENCES

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ Number ⁴ Kind Code ⁵ (if known)				
						Y

Examiner	/Lee Cohen/	Date Considered	09/11/2007
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			



TFW
3739

Docket: 2854 (203-3081 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Thomas L. Buchman, III EXAMINER: N/Y/K
SERIAL NO.: 10/521,901 GROUP: 3739
FILED: October 5, 2005 DATED: May 19, 2006
TITLE: ELECTROSURGICAL PENCIL WITH
DRAG SENSING CAPABILITY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: May 19, 2006


Nicole Risporc

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.

☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).

☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).

☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

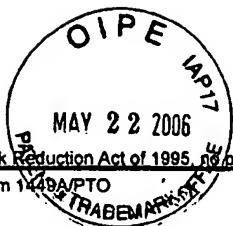
The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'F. Sardone', is written over a horizontal line.

Francesco Sardone
Reg. No. 47,918
Attorney for Applicant(s)

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Melville, New York 11747
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FS/nr



PTO/SB/08a (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	10/521,801
Filing Date	October 5, 2005
First Named Inventor	Thomas L. Buchman, III
Art Unit	3739
Examiner Name	N/Y/K
Attorney Docket Number	2854 PCT US (203-3081 PCT US)

U.S. PATENT DOCUMENTS WITHOUT REFERENCES

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/LC/		3,219,029	11-23-1965	RICHARDS et al.	
		4,808,342	08-19-1986	ZAMBA et al.	
		5,788,888 A	08-04-1988	BAUER, et al.	
		2004/124984 A1	07-01-2004	WANG YULUN et al.	
		2004/143877 A1	07-22-2004	NOVAK PAVEL	
		2004/172011 A1	09-02-2004	WANG YULUN et al.	
		2005/149001 A1	07-07-2005	UCHIKUBO AKINOBU et al.	

FOREIGN PATENT DOCUMENTS WITH REFERENCES

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
/LC/		EP 0 188 369 A	07-02-1988	Valleylab, Inc.		
/LC/		DE 24 29 021 A1	01-08-1976	Erbe Elektromedizin KG		Y

OTHER DOCUMENTS

Examiner Initials*	Cite No. ¹		T ²
/LC/		Copy of ISR from EP 05019882.9 dated February 16, 2006.	
/LC/		Copy of ISR from EP 05021777.7 dated February 23, 2006.	

Examiner	/Lee Cohen/	Date Considered	09/11/2007
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			



Docket: 2854 (203-3081 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Thomal L. Buchman, III EXAMINER: N/Y/K
SERIAL NO.: 10/521,901 GROUP: N/Y/K
FILED: October 5, 2005 DATED: April 11, 2006
TITLE: ELECTROSURGICAL PENCIL WITH
DRAG SENSING CAPABILITY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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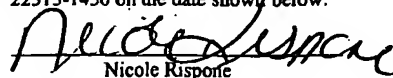
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Applicant would also like to bring the following commonly-owned U.S. Patent Applications to Examiner's attention: U.S. Application No. 11/337,990 filed on January 24, 2006; U.S. Application No.: 11/211,293 filed on August 25, 2005 and U.S. Application No. 11/218,110 filed on September 1, 2005. Copies of these applications are enclosed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: April 11, 2006


Nicole Risponi

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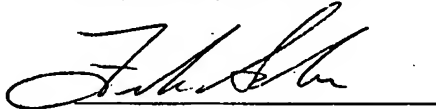
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Respectfully submitted,

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Francesco Sardone
Reg. No. 47,918
Attorney for Applicant(s)

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445 Broad Hollow Road - Suite 225
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Tel.: (631) 501-5700
Fax: (631) 501-3526
FS/nr



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2854 (203-3081 PCT US)	Application Number 10/521,901
Applicants Thomas L. Buchman, III		
Filing Date October 5, 2005		Group Art Number N/Y/K

U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	2,993,178	7-18-1961	BURGER			
	3,058,470	10-16-1962	SEELIGER ET AL.			
	3,648,001	3-17-1972	ANDERSON ET AL.			
	3,675,655	7-11-1972	SITTNER			
	3,699,967	10-24-1972	ANDERSON			
	3,720,896	3-13-1973	BEIERLEIN			
	3,801,766	4-2-1974	MORRISON, JR.			
	3,801,800	4-2-1974	NEWTON			
	4,014,343	3-29-1977	ESTY			
	4,038,984	8-2-1977	SITTNER			
	4,112,950	9-12-1978	PIKE			
	4,593,691	6-10-1986	LINDSTROM ET AL.			
	4,595,809	6-17-1986	POOL			
	4,712,544	12-15-1987	ENSSLIN			
	4,788,977	12-6-1988	FARIN ET AL.			
	4,794,215	12-27-1988	SAWADA ET AL.			
	4,803,323	2-7-1989	BAUER ET AL.			
	4,811,733	3-14-1989	BORSANYI ET AL.			
	4,827,927	5-9-1989	NEWTON			
	4,860,745	8-29-1989	FARIN ET AL.			
	4,862,889	9-5-1989	FEUCHT			
✓	4,872,454	10-10-1989	DeOliveira ET AL.			

Examiner /Lee Cohen/	Date Considered 09/11/2007
Examiner: Initial if citation considered, whether or nor citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

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	Applicants Thomas L. Buchman, III		
	Filing Date October 5, 2005		Group Art Number N/Y/K

U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	4,876,110	10-24-1989	BLANCH			
	4,903,696	2-27-1990	STASZ ET AL.			
	4,919,129	4-24-1990	WEBER, JR. ET AL.			
	4,922,903	5-8-1990	WELCH ET AL.			
	4,949,734	8-21-1990	BERNSTEIN			
	4,969,885	11-13-1990	FARIN			
	5,000,754	3-19-1991	DeOliveira et al.			
	5,011,483	4-30-1991	SLEISTER			
	5,013,312	5-7-1991	PARINS ET AL.			
	5,046,506	9-10-1991	SINGER			
	5,074,863	12-24-1991	DINES			
	5,108,391	4-28-1992	FLACHENECKER ET AL.			
	5,154,709	10-13-1992	JOHNSON			
	5,167,659	12-1-1992	OHTOMO ET AL.			
	5,234,429	8-10-1993	GOLDHABER			
	5,261,906	11-16-1993	PENNINO ET AL.			
	5,312,400	5-17-1994	BALES ET AL.			
	5,312,401	5-17-1994	NEWTON ET AL.			
	5,322,503	6-21-1994	DESAI			
	5,330,470	7-19-1994	HAGEN			
	5,423,838	6-13-1995	WILLARD			
✓	5,468,240	11-21-1995	GENTELIA ET AL.			

Examiner /Lee Cohen/	Date Considered 09/11/2007
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				Applicants			
				Thomas L. Buchman, III			
				Filing Date		Group Art Number	
				October 5, 2005		N/Y/K	
U.S. PATENT DOCUMENTS – WITHOUT REFERENCES							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/		5,472,442	12-5-1995	KLICEK			
		5,472,443	12-5-1995	CORDIS ET AL.			
		5,496,314	3-5-1996	EGGERS			
		5,561,278	10-1-1996	RUTTEN			
		5,626,575	5-6-1997	CRENNER			
		5,630,426	5-20-1997	EGGERS ET AL.			
		5,630,812	5-20-1997	ELLMAN ET AL.			
		5,633,578	5-27-1997	EGGERS ET AL.			
		5,674,219	10-7-1997	MONSON ET AL.			
		5,693,044	12-2-1997	COSMESCU			
		5,712,543	1-27-1998	SJOSTROM			
		5,749,869	5-12-1998	LINDENMEIER ET AL.			
		5,800,431	9-1-1998	BROWN			
		5,836,909	11-17-1998	COSMESCU			
		5,836,944	11-17-1998	COSMESCU			
		5,846,236	12-8-1998	LINDENMEIER ET AL.			
		5,859,527	1-12-1999	COOK			
		5,876,400	3-2-1999	SONGER			
		5,888,200	3-30-1999	WALEN			
		5,893,848	4-13-1999	NEGUS ET AL.			
		5,893,849	4-13-1999	WEAVER			
V		5,913,864	6-22-1999	GARITO ET AL.			
Examiner /Lee Cohen/					Date Considered 09/11/2007		
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	Applicants		
	Thomas L. Buchman, III		
Filing Date		Group Art Number	
October 5, 2005		N/Y/K	

U.S. PATENT DOCUMENTS – *WITHOUT REFERENCES*

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	5,919,219	7-6-1999	KNOWLTON			
	5,928,159	7-27-1999	EGGERS ET AL.			
	5,951,548	9-14-1999	DeSisto et al.			
	5,954,686	9-21-1999	GARITO ET AL.			
	6,004,335	12-21-1999	VAITEKUNAS ET AL.			
	6,010,499	1-4-2000	COBB			
	6,022,347	2-8-2000	LINDENMEIER ET AL.			
	6,045,564	4-4-2000	WALEN			
	6,068,627	5-30-2000	ORSZULAK ET AL.			
	6,071,281	6-6-2000	BURNSIDE ET AL.			
	6,074,386	6-13-2000	GOBLE ET AL.			
	6,074,387	6-13-2000	HEIM ET AL.			
	6,086,544	7-11-2000	HIBNER ET AL.			
	6,090,123	7-18-2000	CULP ET AL.			
	6,149,648	11-21-2000	COSMESCU			
	6,156,035	12-5-2000	SONGER			
	6,197,024 B1	3-6-2001	SULLIVAN			
	6,200,311 B1	3-13-2001	DANEK ET AL.			
	6,214,003 B1	4-10-2001	MORGAN ET AL.			
	6,238,388 B1	5-29-2001	ELLMAN ET AL.			
	6,241,723 B1	6-5-2001	HEIM ET AL.			
✓	6,241,753 B1	6-5-2001	KNOWLTON			

Examiner	/Lee Cohen/	Date Considered	09/11/2007
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	Applicants Thomas L. Buchman, III		
	Filing Date October 5, 2005		Group Art Number N/Y/K

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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	6,273,862 B1	8-14-2001	PRIVITERA ET AL.			
	6,277,083 B1	8-21-2001	EGGERS ET AL.			
	6,287,305 B1	9-11-2001	HEIM ET AL.			
	6,325,799 B1	12-4-2001	GOBLE			
	6,350,276 B1	2-26-2002	KNOWLTON			
	6,355,034 B2	3-12-2002	COSMESCU			
	6,395,001 B1	5-28-2002	ELLMAN ET AL.			
	6,402,741	6-11-2002	KEPPEL ET AL.			
	6,402,742 B1	6-11-2002	BLEWETT ET AL.			
	6,402,743 B1	6-11-2002	ORSZULAK ET AL.			
	6,409,725 B1	6-25-2002	KHANDKAR ET AL.			
	6,413,255 B1	7-2-2002	STERN			
	6,416,491 B1	7-9-2002	EDWARDS ET AL.			
	6,416,509 B1	7-9-2002	GOBLE ET AL.			
	6,425,912 B1	7-30-2002	KNOWLTON			
	6,458,122 B1	10-1-2002	POZZATO			
	6,458,125 B1	10-1-2002	COSMESCU			
	6,461,352 B2	10-8-2002	MORGAN ET AL.			
	6,464,702 B2	10-15-2002	SCHULZE ET AL.			
	6,471,659 B2	10-29-2002	EGGERS ET AL.			
	6,500,169 B1	12-31-2002	DENG			
✓	6,511,479 B2	1-28-2003	GENTELIA ET AL.			

Examiner /Lee Cohen/	Date Considered 09/11/2007
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	Applicants		
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October 5, 2005		N/Y/K	

U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	6,551,313 B1	4-22-2003	LEVIN			
	6,558,383 B2	5-6-2003	CUNNINGHAM ET AL.			
	6,585,664 B2	7-1-2003	BURDORFF ET AL.			
	6,589,239 B2	7-8-2003	KHANDKAR ET AL.			
	6,610,054 B1	8-26-2003	EDWARDS ET AL.			
	6,610,057 B1	8-26-2003	ELLMAN ET AL.			
	6,616,658 B2	9-9-2003	INESON			
	6,618,626 B2	9-9-2003	WEST, JR. ET AL.			
	6,620,161 B2	9-16-2003	SCHULZE ET AL.			
	6,632,193 B1	10-14-2003	DAVISON ET AL.			
	6,652,514 B2	11-25-2003	ELLMAN ET AL.			
	6,662,053 B2	12-9-2003	BORKAN			
	6,669,691 B1	12-30-2003	TAIMISTO			
	6,685,701 B2	2-3-2004	ORSZULAK ET AL.			
	6,685,704 B2	2-3-2004	GREEP			
	6,702,812 B2	3-9-2004	COSMESCU			
	6,712,813	3-30-2004	ELLMAN ET AL.			
	6,740,079 B1	5-25-2004	EGGERS ET AL.			
	6,794,929 B2	9-21-2004	PELLY			
	6,830,569 B2	12-14-2004	THOMPSON ET AL.			
	6,840,948 B2	1-11-2005	ALBRECHT ET AL.			
✓	6,855,140 B2	2-15-2005	ALBRECHT ET AL.			

Examiner	Date Considered
/Lee Cohen/	09/11/2007
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/LC/	6,902,536 B2	6-7-2005	MANNA ET AL.			
	6,905,496 B1	6-14-2005	ELLMAN ET AL.			
	6,923,804 B2	8-2-2005	EGGERS ET AL.			
	6,923,809 B2	8-2-2005	EGGERS ET AL.			
	6,939,347 B2	9-6-2005	THOMPSON			
	2001/0047183 A1	11-29-2001	PRIVITERA ET AL.			
	2001/0049524 A1	12-6-2001	MORGAN ET AL.			
	2002/0019596 A1	2-14-2002	EGGERS ET AL.			
	2002/0019631 A1	2-14-2002	KIDDER ET AL.			
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	2002/0035364 A1	3-21-2002	SCHOENMAN ET AL.			
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✓	2003/0014043 A1	1-16-2003	HENRY ET AL.			

Examiner	/Lee Cohen/	Date Considered	09/11/2007
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional)		Application Number
	2854 (203-3081 PCT US)		10/521,901
	Applicants		
	Thomas L. Buchman, III		
Filing Date		Group Art Number	
October 5, 2005		N/Y/K	

U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	2003/0050633 A1	3-13-2003	ELLMAN ET AL.			
	2003/0065321 A1	4-3-2003	CARMEL ET AL.			
	2003/0078572 A1	4-24-2003	PEARSON ET AL.			
	2003/0083655 A1	5-1-2003	VAN WYK			
	2003/0088247 A1	5-8-2003	INESON			
	2003/0109864 A1	6-12-2003	GREEP ET AL.			
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	2003/0130663 A1	6-10-2003	WALEN			
	2003/0144680 A1	7-31-2003	KELLOGG ET AL.			
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				Applicants Thomas L. Buchman, III			
				Filing Date October 5, 2005		Group Art Number N/Y/K	
U.S. PATENT DOCUMENTS – <i>WITHOUT REFERENCES</i>							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
/LC/	2004/0002705 A1	1-1-2004	KNOWLTON ET AL.				
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	2004/0015160 A1	1-22-2004	LOVEWELL				
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	2004/0015162 A1	1-22-2004	McGaffigan				
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↓	2004/0181140 A1	9-16-2004	FALWELL ET AL.				

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U.S. PATENT DOCUMENTS - *WITHOUT REFERENCES*

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/LC/	2004/0236323 A1	11-25-2004	SCHOENMAN ET AL.			
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	2005/0085804 A1	4-21-2005	McGaffigan			
	2005/0096645 A1	5-5-2005	WELLMAN ET AL.			
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	2005/0107782 A1	5-19-2005	RESCHKE			
	2005/0113817 A1	5-26-2005	ISAACSON ET AL.			
	2005/0113818 A1	5-26-2005	SARTOR ET AL.			
	2005/0113823 A1	5-26-2005	RESCHKE ET AL.			
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	2006/0041257 A1	2-23-2006	SARTOR, et al.			
↓	2006/0058783 A1	3-16-06	BUCHMAN			

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	Applicants Thomas L. Buchman, III		
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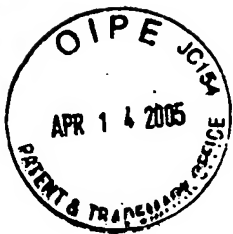
U.S. PATENT DOCUMENTS - *WITHOUT REFERENCES*

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	D301,739	6-20-1989	TURNER ET.AL.			
↓	D370,731	6-11-1996	CORACE ET AL.			
	D384,148	9-23-1997	MONSON			
	D433,752	11-14-2000	SARAVIA			
	D453,833 S	2-19-2002	HESS			
↓	D457,955 S	5-28-2002	BILITZ			

FOREIGN PATENT DOCUMENTS - *WITH REFERENCES*

	Document Number	Date	Country	Class	Subclass	Translation	
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/LC/	DE30 45 996	7/8/82	DE			X	
↓	2235669	1/31/75	FR			X	
	WO 96/39086	12-12-1996	PCT				
	WO 2002/47568 A1	6/20/2002	PCT				
	WO 2004/010883 A1	2-5-2004	PCT				
	WO 2004/073753 A2	9-2-2004	PCT				
↓	WO 2005/060849 A1	7-7-2005	PCT				

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JC07 Rec'd PCT/PTO 14 APR 2005

PCT

PATENT

Attorney Docket No.: 2854(203-3081PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thomas L. Buchman, III

Examiner: Not assigned

#2

Serial No.: 10/521,901

Group: Art Unit Not Assigned

Filed: January 14, 2005

Dated: April 12, 2005

For: ELECTROSURGICAL PENCIL WITH DRAG SENSING CAPABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1-8 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. Copies of foreign references and publications listed on page 9 of form PTO-1449 are enclosed.

Applicants would like to bring parent International Application No. PCT/US03/22900 filed on July 23, 2003 to the Examiner's attention. A copy of this application is enclosed.

Applicant would also like to bring commonly-owned International Application No. PCT/US04/04685 filed on February 17, 2004; U.S. Application No. 10/718,113 filed on November 20, 2003; U.S. Application No. 10/959,824 filed on

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 12, 2005.

Dated: April 12, 2005

Edward C. Meagher

October 6, 2004; International Application No. PCT/US03/37111 filed on November 20, 2003; U.S. Application No. 29/193,706 filed on November 13, 2003; U.S. Application No. 10/716,776 filed on November 19, 2003 to the Examiner's attention. Copies of these applications are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☒ [X] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☐ [] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).

☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).

☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

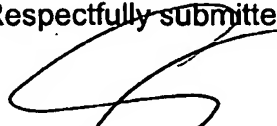
☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

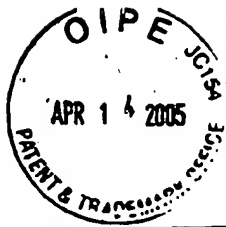
Respectfully submitted,



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Attorney for Applicant(s)

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Suite 225
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ECM/gm



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2854 (203-3081PCTUS)		Application Number 10/521,901
	Applicants Thomas L. Buchman, III		
	Filing Date January 14, 2005		Group Art Number Not Assigned

U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
LC/	3,460,539	8/12/69	ANHALT, SR.			
	3,825,004	7/23/74	DURDEN, III.			
	3,828,780	8/13/74	MORRISON, JR.			
	3,875,945	4/8/75	FRIEDMAN			
	3,902,494	9/2/75	HABERLEN ET AL.			
	3,906,955	9/23/75	ROBERTS			
	3,967,084	6/29/76	POUNDS			
	3,974,833	8/17/76	DURDEN, III.			
	4,032,738	6/28/77	ESTY ET AL.			
	4,034,761	7/12/77	PRATER ET AL.			
	4,232,676	11/11/80	HERCZOG			
	4,314,559	2/9/82	ALLEN			
	4,427,006	1/24/84	NOTTKE			
	4,443,935	4/24/84	ZAMBA ET AL.			
	4,459,443	7/10/84	LEWANDOWSKI			
	4,463,234	7/31/84	BENNEWITZ			
	4,463,759	8/7/84	GARITO ET AL.			
	4,492,231	1/8/85	AUTH			
	4,545,375	10/8/85	CLINE			
	4,562,838	1/7/86	WALKER			
	4,589,411	5/20/86	FRIEDMAN			
V	4,619,258	10/28/86	POOL			

Examiner /Lee Cohen/	Date Considered 09/11/2007
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U.S. PATENT DOCUMENTS - WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	4,625,723	12/2/86	ALTNETHER ET AL.			
	4,640,279	2/3/87	BEARD			
	4,642,128	2/10/87	SOLORZANO			
	4,655,215	4/7/87	PIKE			
	4,657,016	4/14/87	GARITO ET AL.			
	4,683,884	8/4/87	HATFIELD ET AL.			
	4,688,569	8/25/87	RABINOWITZ			
	4,701,193	10/20/87	ROBERTSON ET AL.			
	4,735,603	4/5/88	GOODSON ET AL.			
	4,754,754	7/5/88	GARITO ET AL.			
	4,785,807	11/22/88	BLANCH			
	4,827,911	5/9/89	BROADWIN ET AL.			
	4,846,790	7/11/89	HORNLEIN ET AL.			
	4,850,353	7/25/89	STASZ ET AL.			
	4,862,890	9/5/89	STASZ ET AL.			
	4,869,715	9/26/89	SHERBURNE			
	4,886,060	12/12/89	WIKSELL			
	4,901,719	2/20/90	TRENCONSKY ET AL.			
	4,909,249	3/20/90	AKKAS ET AL.			
	4,911,159	3/27/90	JOHNSON ET AL.			
	4,916,275	4/10/90	ALMOND			
✓	4,921,476	5/1/90	WUCHINICH			

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U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

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/LC/	4,931,047	6/5/90	BROADWIN ET AL.			
	4,986,839	1/22/91	WERTZ ET AL.			
	4,988,334	1/29/91	HORNLEIN ET AL.			
	5,015,227	5/14/91	BROADWIN ET AL.			
	5,026,368	6/25/91	ADAIR			
	5,055,100	10/8/91	OLSEN			
	5,071,418	12/10/91	ROSENBAUM			
	5,076,276	12/31/91	SAKURAI ET AL.			
	5,088,997	2/18/92	DELAHUERGA ET AL.			
	5,098,430	3/24/92	FLEENOR			
	5,100,402	3/31/92	FAN			
	5,133,714	7/28/92	BEANE			
	5,147,292	9/15/92	KULLAS ET AL.			
	5,160,334	11/3/92	BILLINGS ET AL.			
	5,162,044	11/10/92	GAHN ET AL.			
	5,178,605	1/12/93	IMONTI			
	5,190,517	3/2/93	ZIEVE ET AL.			
	5,192,267	3/9/93	SHAPIRA ET AL.			
	5,195,959	3/23/93	SMITH			
	5,196,007	3/23/93	ELLMAN ET AL.			
	5,197,962	3/30/93	SANSOM ET AL.			
✓	5,199,944	4/6/93	COSMESCU			

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Application Number

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Applicants

Thomas L. Buchman, III

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Group Art Number

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U.S. PATENT DOCUMENTS - *WITHOUT REFERENCES*

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/LC/	5,217,457	6/8/93	DELAHUERGA ET AL.			
	5,224,944	7/6/93	ELLIOTT			
	5,226,904	7/13/93	GENTELIA ET AL.			
	5,233,515	8/3/93	COSMAN			
	5,234,428	8/10/93	KAUFMAN			
	5,242,442	9/7/93	HIRSCHFELD			
	5,244,462	9/14/93	DELAHUERGA ET AL.			
	5,246,440	9/21/93	VAN NOORD			
	5,254,082	10/19/93	TAKASE			
	5,254,117	10/19/93	RIGBY ET AL.			
	5,256,138	10/26/93	BUREK ET AL.			
	5,269,781	12/14/93	HEWELL, III.			
	5,300,087	4/5/94	KNOEPFLER			
	5,304,763	4/19/94	ELLMAN ET AL.			
	5,306,238	4/26/94	FLEENOR			
	5,312,329	5/17/94	BEATY ET AL.			
	5,318,516	6/7/94	COSMESCU			
	5,318,565	6/7/94	KURILOFF ET AL.			
	5,334,183	8/2/94	WUCHINICH			
	5,342,356	8/30/94	ELLMAN ET AL.			
	5,348,555	9/20/94	ZINNANTI			
✓	5,376,089	12/27/94	SMITH			

Examiner

/Lee Cohen/

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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
/LC/	5,380,320	1/10/95	MORRIS				
	5,382,247	1/17/95	CIMINO ET AL.				
	5,395,363	3/7/95	BILLINGS ET AL.				
	5,399,823	3/21/95	MCCUSKER				
	5,401,273	3/28/95	SHIPPET				
	5,403,882	4/4/95	HUGGINS				
	5,406,945	4/18/95	RIAZZI ET AL.				
	5,409,484	4/25/95	ERLICH ET AL.				
	5,413,575	5/9/95	HAENGGI				
	5,421,829	6/6/95	OLICHNEY ET AL.				
	5,431,650	7/11/95	COSMESCU				
	5,451,222	9/19/95	DE MAAGD ET AL.				
	5,460,602	10/24/95	SHAPIRA				
	5,462,522	10/31/95	SAKURAI ET AL.				
	5,484,398	1/16/96	STODDARD				
	5,484,434	1/16/96	CARTMELL ET AL.				
	5,486,162	1/23/96	BRUMBACH				
	5,498,654	3/12/96	SHIMASAKI ET AL.				
	5,531,722	7/2/96	VAN HALE				
	5,549,604	8/27/96	SUTCU ET AL.				
	5,601,224	2/11/97	BISHOP ET AL.				
V	5,609,573	3/11/97	SANDOCK				
Examiner /Lee Cohen/				Date Considered 09/11/2007			
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/LC/	5,634,912	6/3/97	INJEV			
	5,643,256	7/1/97	URUETA			
	5,669,907	9/23/97	PLATT, JR. ET AL.			
	5,693,050	12/2/97	SPEISER			
	5,693,052	12/2/97	WEAVER			
	5,697,926	12/16/97	WEAVER			
	5,702,360	12/30/97	DIERAS ET AL.			
	5,702,387	12/30/97	ARTS ET AL.			
	5,713,895	2/3/98	LONTINE ET AL.			
	5,720,745	2/24/98	FARIN ET AL.			
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	5,776,092	7/7/98	FARIN ET AL.			
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	5,836,897	11/17/98	SAKURAI ET AL.			
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	5,868,768	2/9/99	WICHESKI ET AL.			
	5,893,862	4/13/99	PRATT ET AL.			
	5,941,887	8/24/99	STEEN ET AL.			
	5,944,737	8/31/99	TSONTON ET AL.			
	5,951,581	9/14/99	SAADAT ET AL.			
	5,972,007	10/26/99	SHEFFIELD ET AL.			
V	6,004,318	12/21/99	GARITO ET AL.			

Examiner /Lee Cohen/	Date Considered 09/11/2007
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Form PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

2854 (203-3081PCTUS)

Application Number

10/521,901

Applicants

Thomas L. Buchman, III

Filing Date

January 14, 2005

Group Art Number

Not Assigned

U.S. PATENT DOCUMENTS - *WITHOUT REFERENCES*

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
/LC/	6,004,333	12/21/99	SHEFFIELD ET AL.			
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	6,070,444	6/6/00	LONTINE ET AL.			
	6,099,525	8/8/00	COSMESCU			
	6,117,134	9/12/00	CUNNINGHAM ET AL.			
	6,139,547	10/31/00	LONTINE ET AL.			
	6,142,995	11/7/00	COSMESCU			
	6,146,353	11/14/00	PLATT, JR.			
	6,213,999	4/10/01	PLATT, JR. ET AL.			
	6,249,706	6/19/01	SOBOTA ET AL.			
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	6,358,281	3/19/02	BERRANG ET AL.			
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✓	2004/0092927	5/13/04	PODHAJSKY ET AL.			

Examiner

/Lee Cohen/

Date Considered

09/11/2007

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Docket Number (Optional)

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Applicants

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/Lee Cohen/

Date Considered	09/11/2007
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2854 (203-3081PCTUS)	Application Number 10/521,901
	Applicants Thomas L. Buchman, III	
	Filing Date January 14, 2005	Group Art Number Not Assigned

U.S. PATENT DOCUMENTS - WITHOUT REFERENCES

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS - WITH REFERENCES

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
/LC/		DE30 45 996	7/8/82	DE				
↓		EP1050277	11/8/00	EP				
		EP1050279	11/8/00	EP				
		EP1082945	3/14/01	EP				
		EP1293171	3/19/03	EP				
		2235669	1/31/75	FR				
		WO94/20032	9/15/94	PCT				
		WO01/64122	9/7/01	PCT				
↓								

OTHER DOCUMENTS

/LC/ ↓ ↓	Jaime M. Vasquez, et al.; SURGICAL TECHNOLOGY INTERNATIONAL VII; <i>Techniques of Treatment of Peritoneal Endometriosis: The Cavitational Ultrasonic Surgical Aspirator;</i>
	International Search Report from PCT/US03/37111 ✓
	International Search Report from PCT/US04/04685
	International Search Report from EP/0401/5980
	International Search Report from PCT/US03/22900 ✓

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